



MORGAN COUNTY FILM AND VIDEO POLICY

I. Background and Purpose

Morgan County desires to make it easier for filming in the County insomuch as it brings employment opportunities, tourism, hotel occupancy, and general economic development to the Community. Additionally, a specific policy will deter and limit unregulated commercial film production and similar activities from occurring within the County that would cause a public nuisance and pose a threat to public health, safety, and welfare.

Morgan County invites and encourages film and video production utilizing County property so long as the County's primary responsibility to provide service and protection to the public is not impaired and provided that the County is compensated for the time, labor, and other costs associated with allowing the utilization of County owned property and facilities.

This policy has been designed in order to outline the parameters and process for obtaining a filming permit for any filming to occur in Unincorporated Morgan County, the City of Bostwick, and the City of Buckhead.

II. Summary of Procedures and Scope

The procedures for filming, and requirements for permitting, vary depending on the location of the filming.

1. Filming on Private Property

Filming on private property requires permission of the property owner but does not require a permit from the County unless certain activities are included which may impact public health, safety, and welfare. These activities include but are not limited to guns in display of the public; public nudity; special effects such as fire, explosives, or pyrotechnics; nondomestic animals; or filming outside the hours permitted by the City/County's Noise Ordinance.

2. Filming on Streets and Right-of-Way

Filming on streets and right-of-way requires a permit from the County. Any filming activity that may disrupt the normal flow of traffic will require the hiring of off-duty, POST-certified police officers. Any costs for the hiring of off-duty, POST-

certified police officers shall be paid for by the applicant. During any road closure, at least one POST-certified law enforcement officer must be present at all times, at the production company's expense.

Emergency vehicle access must be maintained at all times during any closure, and all County rights-of-way must be restored to pre-permit condition upon completion of filming.

Interruption of traffic on State maintained highways requires the County to obtain approval from the Georgia Department of Transportation (GDOT). Applications requesting interruption of traffic on State highways require an additional 5 business days' notice.

3. Filming on Public Property

Filming on public property, including publicly owned parks and facilities, requires a permit from the County. The potential need for County personnel and equipment, including POST-certified police officers, will be determined through the application review process. Any costs for the hiring of off-duty, POST-certified police officers, fire personnel, or other personnel shall be paid for by the applicant.

III. Definitions

County Property means and includes any park, recreational facility, building, water body, or real or tangible property owned or controlled by the County.

Commercial film means and includes all activity involved or ancillary to filming any entertainment or advertising programs for any media now known or hereafter created.

Charitable or student films means any filming by a nonprofit organization, which qualifies under Section 501(c)(3) of the Internal Revenue Code as a charitable organization or done on behalf of an accredited educational institution.

Film Contact means the person responsible for acquiring a filming permit.

Filming means and includes all activity involved or ancillary to staging or shooting motion pictures, television shows or programs, commercial still photography, video tapes, computer-based programs, or other visual reproduction technology now known or hereafter created. The period of filming includes the set-up, strike and time of photography, and any pre-production and post-production activities on said film.

Film Coordinator means the employee designated by the County Manager to work with and be the County's point of contact with media productions.

Filming Permit means the permit required by this policy.

Production Crew means any and all persons who are in any way involved with or engaged in filming, including, but not limited to, all who will or who customarily receive credit of any sort either during opening or closing credit sequence of a completed film.

Production Location means any location at which filming is to take place.

Production Equipment means and includes any and all equipment utilized during filming which shall include, but not be limited to cameras, video recording devices, sound recording devices, lighting equipment, sound equipment, tracking, scaffolding, cranes, and temporary vending or other equipment used for providing food and beverages to the production crew.

Production Vehicles means and includes any and all vehicles which are in any way utilized during filming including transporting the Production Crew to and from the Production Location which may include, but is not limited to campers, mobile homes, automobiles, trucks, trailers, motorcycles, and helicopters.

Temporary Structure means and includes any and all structures assembled on or near a Production Location for the purpose of filming.

IV. Process for Application and Application Review

Morgan County shall utilize the following process for consideration of filming permits:

1. Application

- a. The film contact shall make application to the County for filming to occur within the County.
- b. Each application for filming shall be accompanied by a nonrefundable application fee as may be set by Board of Commissioners. Applications submitted fewer than 5 business days prior to filming shall be accompanied by an additional rush fee. However, no application seeking to interrupt traffic on State highways will be accepted if submitted less than 10 business days prior to filming.
- c. Applications must be submitted at least 5 business days prior to the planned filming activity. The County may accept applications submitted fewer than 5 business days in advance only in extraordinary circumstances and upon payment of the applicable rush fee.

2. Application Review

- a. Upon the receipt of a complete application, the film coordinator shall review the application and may refer to such appropriate County departments as are impacted by the proposed filming for review, evaluation, investigation, and recommendations regarding approval or disapproval of the application.
- b. As part of its due diligence, for filming occurring on public property, the County may seek to acquire basic information about the proposed film and/or a treatment for the film.

c. Proposed filming which includes the building or assembly of temporary structures, pyrotechnics, or open flames also require review by the Fire Department and/or Fire Marshal. Any filming involving the use of firearms (blank or live) require advance notification to and coordination with the Morgan County Sheriff's Office prior to permit issuance.

d. Onsite food preparation may also require review and certification by the Morgan County Health Department. Catered and/or pre-packaged food is not subject to this provision. **Filming production companies are encouraged to use local businesses to provide craft services.**

3. Application Approval or Denial

a. The County's approval or denial of an application for a filming permit shall provided to the applicant in writing within 5 business days of the receipt of a complete application. Failure by the County to respond within 5 business days does not automatically signify the County's approval of the application.

b. The County reserves the right to deny any film application as they deem necessary.

c. Conditions ~~to~~ for issuing a permit include but are not limited to the execution of a Property Use Agreement for the use of County Property.

1. The Property Use Agreement shall be accompanied by a valid Insurance Certificate for the production company, naming the Morgan County as additional insured, and providing at least the following minimum insurance coverages are required:

- Commercial General Liability: \$1,000,000 per occurrence / \$2,000,000 aggregate limit.
- Automobile Liability (owned, non-owned, and hired vehicles): \$1,000,000.
- Workers' Compensation: Statutory benefits. Employers Liability: \$500,000 per accident/disease/policy.

All policies shall name Morgan County as an additional insured. Certificates of insurance shall be submitted to the County at least 3 business days prior to the commencement of filming.

2. As part of the Property Use Agreement, the County may institute additional conditions on filming so as to ensure the County's primary responsibility to provide service and protection to the general public is not impaired and to protect the health, safety and welfare of the citizens of the County.

3. Depending on the proposed uses of County Property, as part of the Property Use Agreement, the County may determine a cash bond or refundable security deposit to be appropriate. In this event, the

County shall advise the film contact of the amount, and this bond or security deposit shall be remitted to the County before the filming permit is issued.

d. Reasons for denial of a filming permit include, but are not limited to:

1. False or incomplete information on the application;
2. The filming will disrupt traffic within the County beyond practical solution;
3. The filming will interfere with access to fire stations and/or fire hydrants;
4. The location of the filming will cause undue hardship to adjacent businesses or residents beyond practical solution; or
5. The filming will cause disruption of public services within the City/County and would unreasonably impact the remainder of the Community.
6. The applicant production company owes an outstanding debt to the County or the production company previously caused significant damage to County property and failed to adequately repair the damage or reimburse the County for repair or restoration.

4. Permit Priority and Modifications

- a. When more than one application is received for the same location and time, permits shall be issued on a first-come, first-served basis. The County will make reasonable efforts to accommodate competing applications at alternative times or locations.
- b. Permits are non-transferable.
- c. Any request to modify a permit must be submitted in writing to the film coordinator at least one full business day prior to the effective date of the permit.

5. Revocation of a Filming Permit

- a. Reasons for revocation of a filming permit include, but are not limited to:
 1. False information on the application or failure to comply with all terms and conditions of the permit;
 2. Failure to arrange for or adequately remit all applicable fees, deposits, insurance, or bonds to the County; or

3. Existence of disaster, public calamity, riot or other emergency as the County determines, in its sole discretion, to be an impact upon the public health, safety, and welfare.

V. Permit Fees

The permit fees for filming shall be set in such amount as determined by the Board of Commissioners

1. Permit fees shall be paid in full prior to the issuance of the filming permit and in any event no later than 48 hours after the commencement of filming.
2. The fees required by this policy shall be in addition to any other fees which may be required by any other applicable Ordinances.
3. Should the production crew desire to have use of any equipment owned by the County, such as police cars, park equipment, and the like, an additional fee shall be paid so as to cover the reasonable cost for use of the equipment, as well as the delivery and return of the items to the County.
4. Charitable or student films may be excused by the film coordinator from the application fee and/or other fees associated with the filming permit if, in his or her reasonable discretion the benefits of the filming exceed the costs to the community at large.
5. All permit fees, equipment fees and rental rates for county property are set by the Board of Commissioners. Current fee schedule is included with the permit application.

VI. Exceptions

1. The following filming and film-related activities are exempt from the permitting requirements of this policy.
 - a. Current news, including reporters, photographers, or camerapersons in the employment of a newspaper, news service, television station, or similar entity engaged in on-the-spot broadcasting of news events concerning those persons, scenes, or occurrences in the news.
 - b. Sound, visual, or sound and visual recordings of open meetings of the State, County, City, School Board, or other political subdivision of the State.
 - c. Filming or still photography created solely for personal family use.

2. Charitable or student films may be excused by the film coordinator from certain permitting requirements, such as the liability insurance requirement, if, in his or her reasonable discretion the benefits of the filming exceed the costs to the community at large.

VII. Responsibility of the County

The Board of Commissioners and the ~~City~~ County Manager ~~all~~ have specific duties in regards to Film and Video Policy.

1. Board of Commissioners

- a. Adopt a policy for film and video and associated fees.
- b. Update the policy for film and video as needed to best reflect the needs of the community.

2. County Manager

- a. Ensure the County maintains a form to appropriately gather information for the review of a request for filming within the County.
- b. Ensure applications are reviewed in a timely manner.
- c. Make final decisions as to the approval or denial of filming permits.
- d. Designate a County film coordinator that shall be the point of contact throughout film production.

VIII. Responsibility of the Film Crew

1. Notification of Affected Business/Residents

- a. The Production Company will notify all businesses and residents affected by the activity. The area to be covered by notification may vary depending on the impact of the planned activity but will be a minimum of all businesses or residents in the linear block in which the activity is to occur.
- b. Notification should take place following the County's review and approval of the Filming Permit Application and after meeting with the appropriate County representatives.
- c. Notification should occur no less than three (3) business days prior to the planned activity. The film coordinator may require a longer notification in cases where planned activities may have a significant impact on normal activities of the area. Notification to affected residents and businesses must include: (a) the specific location and dates/times of filming; (b) any planned road closures; (c) details of any

special effects, lights, ~~or~~ noise, or drone use; and (d) contact information for the location manager.

- d. The Production Company is encouraged to consult with the CVB Director/Film Liaison for a calendar of events in the area and to be considerate of those activities, parking needs, etc.
- e. Business should be compensated during imposition due to filming during business hours which include set up, filming, and breakdown.
- f. Contracts for businesses compensated during filming are strictly between individual businesses and the Production Company.
- g. Specifics of compensation will be addressed in a Letter of Understanding distributed to businesses prior to the start of filming.

2. Special Considerations

- a. In residential areas, film activities will not begin prior to 7:00am, and will end by 11:00pm weekdays and Sundays, and by midnight on Friday and Saturday, under special permitting. Any special circumstances must be addressed.
- b. Production companies must allow access of school buses and service vehicles, including, but not limited to: delivery trucks, U.S. mail, trash pickup, contractors, etc. or make alternative arrangements with the service provider and affected businesses or residents.
- c. All equipment and support vehicles not in immediate use shall be parked so as not to cause any interference to pedestrians or vehicular traffic.
- d. Production vehicles must not block fire hydrants, driveways, or other access ramps unless authorized by the County or property owner.
- e. Production vehicles must be parked in such a way as to not impede safe lines of vision at intersections
- f. Lighting for filming, both during the day and night, should be oriented away from neighboring residences wherever possible, and should not interfere with the safe movement of traffic,
- g. Wherever possible, base camps and dressing room trailers should be parked away from neighboring residences, and/or take steps to control noise from generators, slamming doors, engines, etc., in the early morning before 7:00am and 11:00pm.
- h. A production location manager or key assistant manager should be present at any location being filmed as the primary contact for the film

coordinator/Camera Ready Liaison unless prior arrangements have been made.

IX. Special Effects, Weapons, and Fire, Unmanned Aircraft System Operations

1. No filming involving the use of fire, explosives, pyrotechnics, or smoke machines may be permitted unless specifically approved in writing by the Morgan County Fire Department/Fire Marshal. Where a fire watch is determined to be necessary, the Production Company shall be responsible for the cost of on-site firefighter staffing at the current rate established.
2. Any filming involving the discharge of firearms (including blank cartridges) requires advance coordination with and approval by the Morgan County Sheriff's Office. The Sheriff's Office may require on-site law enforcement staffing at the Production Company's expense.
3. No pyrotechnics, explosions, or similar exceptional special effects shall be permitted between midnight and 7:00 a.m.
4. Any production intending to use a drone for any purpose, including aerial photography or videography, must disclose this use on the Film and Video Production Application.
 - a. Productions seeking to operate a drone in connection with filming activity in Morgan County remain solely responsible for compliance with all applicable Federal Aviation Administration (FAA) requirements.
 - b. Consistent with O.C.G.A. 6-1-4(c) any launch or landing on County-owned or County-leased property must be identified on the permit application and is subject to County approval as to location only. This requirement does not apply to, and the County does not regulate flight over County property.

X. Cleanup and Restoration

2. For filming on County-owned property, the Production Company shall conduct operations in an orderly fashion. The areas used shall be cleaned of trash and debris to the County's satisfaction within two (2) hours of the completion of the activity.
3. The Production Company shall be responsible for restoring any area damaged or disrupted before leaving the site, reasonable wear and tear excepted. If the site is not repaired or restored to the County's reasonable satisfaction, the County shall have the necessary restoration and/or repairs performed and shall bill the Production Company for any reasonable costs incurred. The Production Company shall reimburse the County within thirty (30) days of receipt of the invoice.
4. The Production Company shall be responsible for repairing any damage to public rights-of-way caused by filming activities.

XI ADA Compliance:

Any alterations created by the laying of cables, placement of equipment or ancillary items related to the production of any filming on any sidewalks, curb ramps or other sloped surfaces in the County where ADA access is provided shall be properly clear of such obstructions. Where such obstructions are necessary for the production of filming, suitable temporary ramps to sidewalks or ADA cable ramps shall be placed to allow for the uninterrupted flow of all ADA traffic.